

628-97

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REC'D. BY DEC 11 1997
M/TB

IN THE MATTER OF THE AMENDMENT TO THE JOINT RESOLUTION
FOR ORDERLY ANNEXATION BETWEEN THE TOWN OF CASCADE
AND THE CITY OF ROCHESTER, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.0325, SUBD. 1

TO: Minnesota Municipal Board
165 Metro Square Building
St. Paul, Minnesota 55101

The Town of Cascade and the City of Rochester hereby jointly agree that the Joint Resolution Between the Town of Cascade and the City of Rochester Designating an Area for Orderly Annexation dated May 5, 1976, be amended to include the following:

WHEREAS, the City of Rochester desires the immediate annexation to the City of Rochester that property described in the attached Exhibit A situated in the Town of Cascade, County of Olmsted, State of Minnesota; and

WHEREAS, the City of Rochester and the Town of Cascade, for the purpose of avoiding a dispute over the annexation of the property described in said petition, desire to enter into a joint resolution approving the immediate annexation of said property.

NOW, THEREFORE, BE IT RESOLVED by the City of Rochester and the Town of Cascade:

1. The property which is situated in the Town of Cascade, County of Olmsted, State of Minnesota and which is described on the attached Exhibit A is designated as in need of orderly annexation pursuant to Minnesota Statutes §414.0325, as it may be amended from time to time.

2. Both the Town and the City agree that upon receipt of this resolution, the Municipal Board may review and comment, but shall, within 30 days, order the annexation of the property described in Exhibit A, attached hereto and made a part hereof. Both the Town and the City also agree that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, both parties agree that no reconsideration by the Board is necessary.

3. Pursuant to the provisions of Minnesota Statutes §414.0325, subd. 5, the parties agree that the City of Rochester may extend its planning and land use controls to all property designated for orderly annexation.

4. Pursuant to the provisions of Minnesota Statutes §414.036, the City of Rochester agrees to pay the Town of Cascade the property taxes payable on the annexed land for the year in which the annexation becomes effective. Thereafter, property taxes on the annexed land shall be paid to the City of Rochester. In the first year following the year the land was annexed, the City shall make a cash payment to the Town of Cascade in an amount equal to 90% of the property taxes paid in the year the land was annexed; in the second year, an amount equal to 70% of the property taxes paid in the year the land was annexed; in the third year, an amount equal to 50% of the property taxes paid in the year the land was annexed; in the fourth year, an amount equal to 30% of the property taxes paid in the year the land was annexed; and in the fifth year, an amount equal to 10% of the property taxes paid in the year the land was annexed.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS 3RD DAY OF NOVEMBER, 1997.

John Hunziker
PRESIDENT OF SAID COMMON COUNCIL

ATTEST: Nancy Kay Swan
CITY CLERK

APPROVED THIS 4th DAY OF NOVEMBER, 1997.

Ed Canfield
MAYOR OF SAID CITY

(Seal of the City of
Rochester, Minnesota)

PASSED AND ADOPTED BY THE TOWN OF CASCADE, MINNESOTA, THIS 6th DAY OF October, 1997.

DW Hedrick
CHAIRMAN OF TOWN BOARD

ATTEST: Joseph L. Vroman
TOWN CLERK

EXHIBIT A

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All that part of the Southeast Quarter of the Southeast Quarter of Section 17, Township 107 North, Range 14 West, Olmsted County, Minnesota lying westerly of the westerly right of way line of the now abandoned Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company).

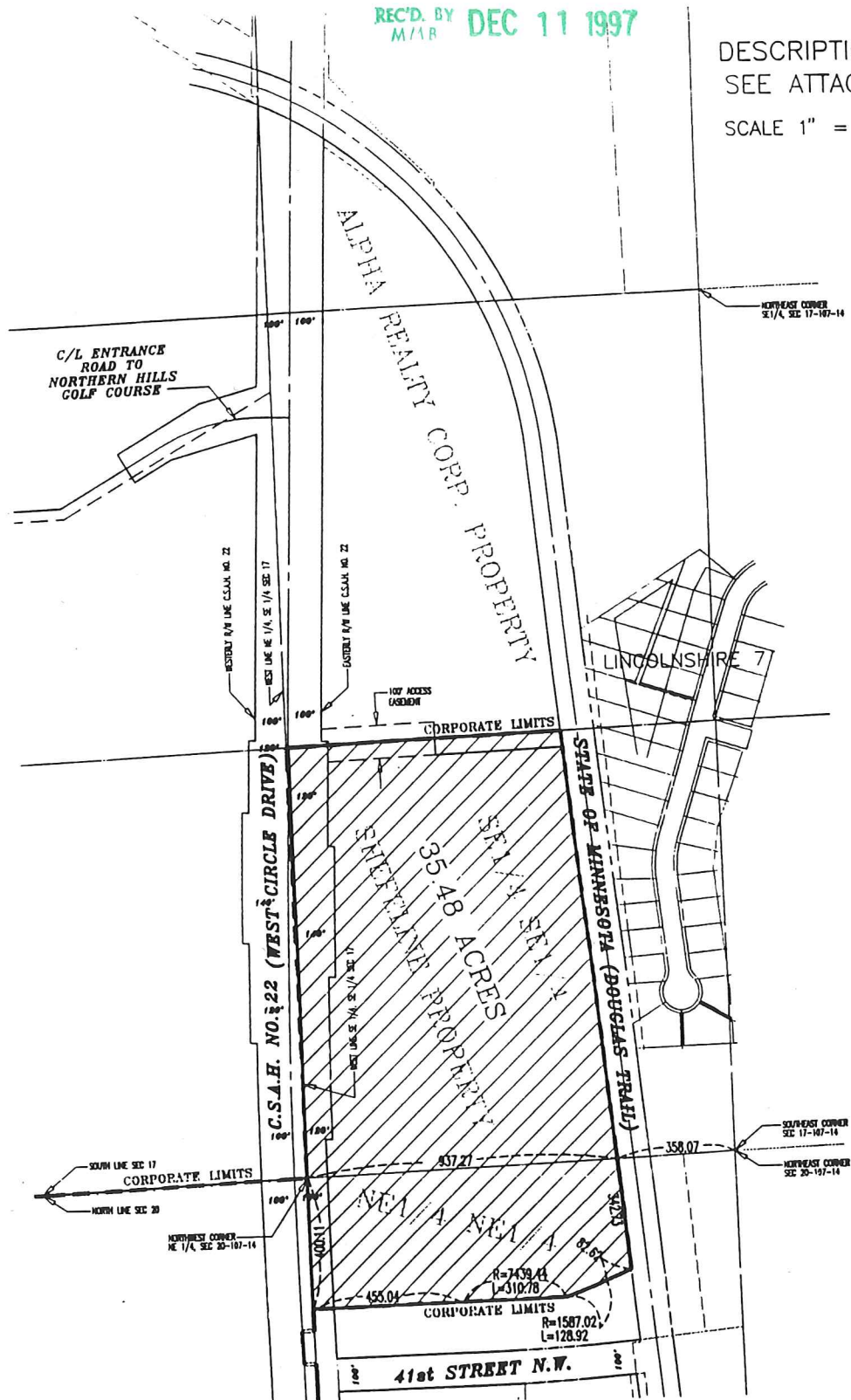
And also, that part of the Northeast Quarter of the Northeast Quarter of Section 20, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Section 20; thence South 87 degrees 19 minutes 50 seconds West, assumed bearing along the north line thereof, 358.07 feet to the westerly right of way line of the now abandoned Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company) for the point of beginning; thence continue South 87 degrees 19 minutes 50 seconds West along said north line, 937.27 feet to the northwest corner of said Quarter Quarter Section; thence South 01 degree 09 minutes 29 seconds East, along the east line thereof, 400.11 feet; thence North 88 degrees 40 minutes 14 seconds East, 455.04 feet; thence easterly 310.78 feet along a tangential curve, concave to the north, radius of 7439.44 feet, central angle of 02 degrees 23 minutes 37 seconds and the chord of said curve bears North 87 degrees 28 minutes 26 seconds East, 310.76 feet; thence northeasterly 128.92 feet on a nontangential curve, concave to the north radius of 1587.02 feet, central angle of 04 degrees 39 minutes 16 seconds and the chord of said curve bears North 69 degrees 09 minutes 45 seconds East, 128.89 feet; thence North 66 degrees 50 minutes 07 seconds East, tangent to said curve, 82.62 feet to the westerly right of way line of said now abandoned railroad; thence North 05 degrees 37 minutes 48 seconds West along said westerly line, 342.73 feet to the point of beginning.

Containing in all 35.48 acres more or less.

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SCALE 1" = 400'



McGhie
Consulting Engineers



1048 3rd AVE. S.E.

Rochester, MN 55904

507-289-3919

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